IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No. 4840 of 2005

Mr Kamlakar p Gharat . petitioner

vs

The State of Mah and ors.. respondents

Mr Vijay Gharat for petitioner

Ms. Sushma Bhene AGP for respondents

CORAM;A.P.SHAH & D.Y.CHANDRACHUD JJ.

Dated 5.8.2005

P C:

Heard the learned counsel for the parties. Perused the record including the orders of the Addl Collector,Alibag at Raigad and Addl Commissioner, Konkan Division. By the impugned order of the Collector petitioner has been declared as disqualified as member of the Grampanchayat under section l4(l)(g) read with section l6(l) of the Mumbai Village Panchayat Act, l958 on the ground that he has accepted contract of work from the Grampanchayat.The order of the Collector has been confirmed in appeal by the Addl

Commissioner, Konkan Division, Mumbai. Both the authorities have recorded a concurrent finding that the petitioner has undertaken various construction work from the Grampanchayat. We have gone through the record of the case and we find that there is ample evidence on record to show that the petitioner has undertaken various works for panchayat in violation of section l4(l) of the Mumbai Village Panchayat Act, l958. The case of the petitioner that these documents have been fabricated to falsely implicate the petitioner has been disbelieved by both the authorities below and we do not see any reason to interfere with the said concurrent findings of fact. Petition is dismissed.